**EXHIBIT "H"** 



# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Case No. 18 MS 0302

DOROTHY ANDERSON McCARTHY, as Personal Representative of the estate of Howard Anderson,

Plaintiff,

VS.

THE REPUBLIC OF CUBA,

Defendant.

# NOTICE TO JUDGMENT DEBTOR OR OBLIGOR

Money or property belonging to you may have been taken or held in order to satisfy a judgment or order which has been entered against you. Read this carefully.

# YOU MAY BE ABLE TO GET YOUR MONEY BACK

State and federal laws prevent certain money or property from being taken to satisfy judgments or orders. Such money or property is said to be "exempt". The following is a partial list of money which may be exempt:

- 1. Supplemental security income, (SSI);
- 2. Social Security;
- 3. Public assistance (welfare);
- 4. Alimony or child support;
- 5. Unemployment benefits;
- 6. Disability benefits;
- 7. Workers' compensation benefits;
- 8. Public or private pensions; and
- 9. Veterans benefits.

If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the judgment or order. If you claim that any of your money that has been taken or held is exempt, you may contact the person sending this notice.

Also, YOU MAY CONSULT AN ATTORNEY, INCLUDING LEGAL AID IF YOU QUALIFY. The law (New York civil practice law and rules, article four and sections fifty-two hundred thirty-nine and fifty-two hundred forty) provides a procedure for determination of a claim to an exemption.

JOSEPH A. DEMARIA, ESQ. (JD 5668)

BRYAN T. WEST, ESQ. (BW 8739)

TEW CARDENAS LLP 1441 Brickell Avenue

Four Seasons Tower, Suite 1500

Miami, Florida 33131

Telephone: (305) 536-1112

To: The Republic of Cuba
Felipe Perez Roque
Minister of Foreign Relations
Calzada No. 360, Esquina AG
Vedado, Havana Cuba

EXHIBIT "I"

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Case No. 18 MS 0302 (Transcript of Registered Judgment No. 05-1005)

DOROTHY ANDERSON McCARTHY, as Personal Representative of the estate of Howard Anderson,

Plaintiff,

VS.

THE REPUBLIC OF CUBA,

Defendant.

CORNICO RIVER RIVER

# RESTRAINING NOTICE TO GARNISHEE

RE: The Republic of Cuba, Judgment Debtor

TO: Rabinowitz, Boudin, Standard, Krinsky & Lieberman, P.C., Garnishee 740 Broadway at Astor Place, 5th Floor New York, New York 10003-9518

# GREETING:

Whereas, in an action in the United States District Court for the Southern District of New York, between Dorothy Anderson McCarthy, as Personal Representative of the Estate of Howard Anderson, as plaintiff/judgment creditor and The Republic of Cuba as defendant/judgment debtor, who are all parties named in the above-captioned action, a judgment was registered on May 25, 2005, in favor of Mrs. McCarthy, the Judgment Creditor and against the Republic of Cuba, judgment debtor, in the amount of \$67,000,000, all of which remains due and unpaid;

WHEREAS, it appears that you owe a debt to the judgment debtor or are in possession or in custody of property in which the judgment debtor has an interest, including:

The bank account in the name of the following:

1. The blocked account in the name of "Rabinowitz Boudin SPL for the AC of the Republic of Cuba & Its Agencies BLK ACCT.:"; Account No. 92037119.

TAKE NOTICE that pursuant to Fed.R.Civ.P. 69(a), and subdivision (b) of Section 5222 of the Civil Practice Law and Rules, which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment, transfer of or any interference with, any such property or pay over or otherwise dispose of any such debt as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest hereafter coming into your possession or custody and all debts hereafter coming due from you to the judgment debtor.

# CIVIL PRACTICE LAW AND RULES

(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.

JOSEPH A. DeMARIA (JD-5668)

Attorney for Judgment Creditor Tew Cardenas LLP

1441 Brickell Avenue, 15th Floor

Miami, FL 33131

(305) 536-1112

@PFDcsktop\::ODMA/MHODMA/MIAM1;443790;1

UNITED STATES DISTRICT COURT	
SOUTHERN DISTRICT OF NEW YOR	K

DOROTHY ANDERSON McCARTHY, as Personal Representative of the estate of Howard Anderson,

Plaintiff(s),

-against-

Transcript of Registered Judgment No. 05-1005

Case No. 18-MS-0302

AFFIDAVIT OF SERVICE

THE REPUBLIC OF CUBA,

Defendant(s).

STATE OF NEW YORK

COUNTY OF NEW YORK )

STEVEN MITCHELL, being duly sworn, deposes and says that he is an employee of KEATING & WALKER ATTORNEY SERVICE, INC., is over the age of eighteen years and is not a party to the action.

That on the 25th day of August, 2005, at approximately 2:21 p.m., deponent served the original RESTRAINING NOTICE TO GARNISHEE upon Rabinowitz, Boudin, Standard, Krinsky & Lieberman, P.C., Garnishee, at 740 Broadway, 5th Floor, New York, New York 10003-9518 by personally delivering and leaving the same with Michael Krinsky, Partner, who is authorized by law to accept service.

Michael Krinsky is a white male, approximately 45-55 years of age, is approximately 6 feet tall, weighs approximately 180 pounds, is bald with medium length black hair and was wearing glasses.

Sworn to before me this 25th day of August, 2005

STEVEN MITCHELL #1164011

NOTARY PUBLIC, STATE OF NEW YORK

Reg. No. 01-KE-4851559 Qualified in Queens County

Certificate Filed in New York County Commission expires February 3, 2006

**EXHIBIT "J"** 

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Case No. 18 MS 0302 (Transcript of Registered Judgment No. 05-1005)

DOROTHY ANDERSON McCARTHY, as Personal Representative of the estate of Howard Anderson,

Plaintiff,

VS.

THE REPUBLIC OF CUBA.

Defendant.

# **RESTRAINING NOTICE TO GARNISHEE**

RE: The Republic of Cuba, Judgment Debtor

TO: J.P. Morgan Chase Bank, N.A., Garnishee One Chase Plaza New York, New York 10081

# **GREETING:**

Whereas, in an action in the United States District Court for the Southern District of New York, between Dorothy Anderson McCarthy, as Personal Representative of the Estate of Howard Anderson, as plaintiff/judgment creditor and The Republic of Cuba as defendant/judgment debtor, who are all parties named in the above-captioned action, a judgment was registered on May 25, 2005, in favor of Mrs. McCarthy, the Judgment Creditor and against the Republic of Cuba, judgment debtor, in the amount of \$67,000,000, all of which remains due and unpaid;

WHEREAS, it appears that you owe a debt to the judgment debtor or are in possession or in custody of property in which the judgment debtor has an interest, including:

Bank accounts in the name of any of the following:

- 1. All blocked accounts in the name or for the benefit of "Banco Nacional de Cuba;"
- 2. The following blocked accounts in the name of "AT&T Long Lines:" Account Nos. G00875 and/or G00876;

- 3. The following blocked account in the name of "Empresa de Telecomunicaciones:" Account No. 399507995;
- 4. The following blocked account in the name of "Rabinowitz Boudin SPL for the AC of the Republic of Cuba & Its Agencies BLK ACCT.:"

  Account No. 92037119.

TAKE NOTICE that pursuant to Fed.R.Civ.P. 69(a), and subdivision (b) of Section 5222 of the Civil Practice Law and Rules, which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment, transfer of or any interference with, any such property or pay over or otherwise dispose of any such debt as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest hereafter coming into your possession or custody and all debts hereafter coming due from you to the judgment debtor.

# CIVIL PRACTICE LAW AND RULES

(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice

withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.

Dated: August 24, 2005

SEPH A. DeMARIA (JD-5668)

Attorney for Judgment Creditor

Tew Cardenas LLP

1441 Brickell Avenue, 15th Floor

Miami, FL 33131 (305) 536-1112 A. Platone, Legal Coordinator, who stated that she is authorized to accept service.

Linda A. Platone is a white female, approximately 54 years of age, is approximately 5 feet, 4 inches tall, weighs approximately 140 pounds, with medium length blonde hair and dark eyes.

Sworn to before me this 25th day of August, 2005

OTARY)PUBLIC STATE OF NEW YORK

Res. No. 01-KE-4851559

**Qualified in Queens County** 

Certificate Filed in New York County

Commission expires February 3, 2006

**EXHIBIT "K"** 

# United States District Court SOUTHERN DISTRICT OF NEW YORK

JUDGMENT NO. <u>05-1005</u>	DOCKET NO 8 MS 0302
THE PRESIDENT OF THE UNITED STATES O	E A AMPLO 3 MS 0302
To the Marshal of the Southern District of New York, GREE	TING:
YOU ARE COMMANDED, that the goods and chair	els of The Republic of Cube
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which lately in the United States District Court of the United S	States for the Southern Piece and Grand Orthogonal
Second Circuit, Dorothy Anderson McCarthy as the Barrey	and he bountern District of New York, in the
Second Circuit, Dorothy Anderson McCarthy, as the Person	nat Representative of the Estate of Howard Anderson
recovered against the said Republic of Cuba	-
in an action between Dorothy Anderson McCarthy, as the Perso	mal Representation of the Paris W
	A Representative of the Harate Deflowed Amid son
DI AINTITED and The Paris of th	
PLAINTIFF and The Republic of Cuba	
DEFENDANT, in favor of said Dorothy Anderson McCarthy.	as the Personal Representative of the Personal
Howard Anderson as appears by the record filed in the Clerk's	Office of call Division of the Calaid Of
dev of Man	Other of said District Court on the
day ofMay	, in the year of
and if sufficient personal property of the said judgment debtor can same to be made out of the real property belonging to such judgment	not be found in your District, that then you cause the
same to be made out of the real property belonging to such judgment thereafter, in whose hands soever the same may be, and return this to the Clerk of said District Court.	or deblor on the above-mentioned day, or at any time
WITNESS, the Honorable Michael B. Mukasey, Chief J. District of New York, at the City of New York, on the Action of our Lord 2005, and of the Independence of the I	udge of the United States Court for the Co.
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Case 1:07-cv-07974-VM Document 50-5 Filed 08/22/2008 Page 16 of 48

**EXHIBIT "L"** 

# U.S. Department of Justice United States Marshals Service

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See Instructions for "Le of Process by the U.S. Marshal"

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FORM USM-285 (Rev. 12/15/80)

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Case No. 18 MS 0302 (Transcript of Registered Judgment No. 05-1005)

DOROTHY ANDERSON McCARTHY,
as Personal Representative of the estate of
Howard Anderson,

Plaintiff,
vs.

THE REPUBLIC OF CUBA,

Defendant.

# NOTICE OF SERVICE OF WRIT OF EXECUTION

PLEASE TAKE NOTICE that a levy by service of execution, a copy of which is herewith served upon you, is hereby made pursuant to FED.R.CIV.P. 69(a) and Section 5232(a) of the New York Civil Practice Law and Rules ("CLPR") upon the following described property in your possession or custody in which the judgment debtor, the Republic of Cuba, has an interest:

The blocked account maintained at J.P. Morgan Chase Bank, N.A., New York, New York in the name of

"Rabinowitz Boudin SPL for the AC of the Republic of Cuba & Its Agencies BLK ACCT."

Account No. 92037119

Case 1:07-cv-07974-VM Document 50-5 Filed 08/22/2008 Page 19 of 48

Dated: August 14, 2005

Attorney for Judgment Creditor Tew Cardenas LLP 1441 Brickell Avenue, 15<sup>th</sup> Floor Miami, FL 33131 (305) 536-1112

TO: RABINOWITZ, BOUDIN, STANDARD, KRINSKY & LIEBERMAN, P.C. 740 Broadway at Astor Place, 5th Floor
New York, New York 10003-9518
(212) 254-1111

**EXHIBIT "M"** 

# U.S. Department of Justice United States Marshals Service

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See Instructions for "So, ice of Process by the U.S. Marshal" on the reverse of this form.

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FORM USM-285 (Rev. 12/15/80)

Case 1:07-cv-07974-VM Document 50-5 Filed 08/22/2008 Page 22 of 48

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Case No. 18 MS 0302 (Transcript of Registered Judgment No. 05-1005)

DOROTHY ANDERSON McCARTHY, as Personal Representative of the estate of Howard Anderson,

Plainti:	ff,

VS.

THE REPUBLIC OF CUBA,

Defendant

L CIVII GGIAGO		

# NOTICE OF SERVICE OF WRIT OF EXECUTION

PLEASE TAKE NOTICE that a levy by service of execution, a copy of which is herewith served upon you, is hereby made pursuant to FED.R.CIV.P. 69(a) and Section 5232(a) of the New York Civil Practice Law and Rules ("CLPR") upon the following described property in your possession or custody in which the judgment debtor, the Republic of Cuba, has an interest:

- 1. All blocked accounts in the name or for the benefit of "Banco Nacional de Cuba;"
- 2. The following blocked accounts in the name of "AT&T Long Lines:" Account Nos. G00875 and/or G00876;
- 3. The following blocked account in the name of "Empresa de Telecomunicaciones:" Account No. 399507995;
- 4. The following blocked account in the name of "Rabinowitz Boudin SPL for the AC of the Republic of Cuba & Its Agencies BLK ACCT.:"

  Account No. 92037119.

Dated: August 14, 2005

JOSEPHA. DeMARIA (JD-5668 Atterney for Judgment Creditor Tew Cardenas LLP 1441 Brickell Avenue, 15th Floor

Miami, FL 33131 (305)-536-1112

TO: JP MORGAN CHASE BANK, N.A. One Chase Plaza New York, NY 10081

**EXHIBIT "N"** 

Rabinowitz Boudin SPL for Account of Republic of

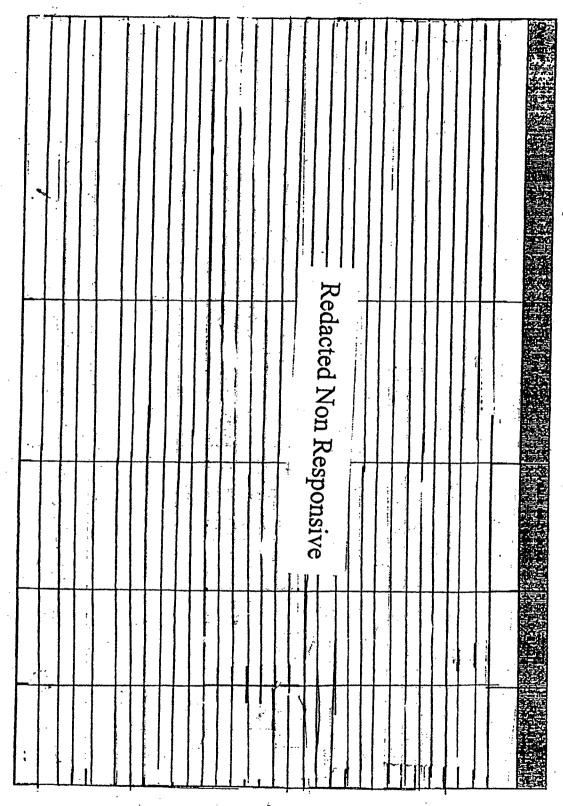
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New York

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ant B-Property Reported June 30, 2004

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New York 31CFR515

CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER AND AGREEMENT

BLOCKED A-CS - BANCO NACIONAL DE CUBA

# Part B-Property Reported June 30, 2004

BLK AIC BANCO NACIONAL DE CUBA

395203138

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Part B-Property Reported June 30, 2004

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Part 8-Property Reported June 30, 2004

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CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER AND AGREEMENT

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CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER AND AGREEMENT

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Part b-Property Reports
June 30, 2004

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Annual Report of Blocked Property
TD F 90-22.50
Office of Foreign Assets Control
Part B - Property Reported (as of June 30, 2004)
Bank One Corporation

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Annual Report of Blocked Property
TD F 90-22.50
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Part B - Property Reported (as of June 30, 2004)
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